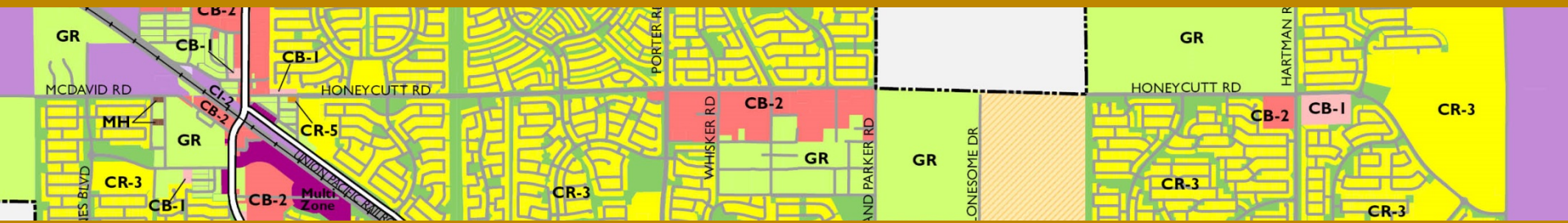


# Outreach Efforts to Date

- **December 18 - Initial Staff & Department Head Interviews and City/Project Tour**
- **270 Stakeholders from, business, utility, HOA, citizen, including all board and commission members, and neighboring communities & county**
- **January - My Maricopa Story – 3,100 residents; Launch of Website; City Website Ads; Facebook; Tweets; Interviews and Newspaper & Online Articles; Mayoral Announcements; Press Release**
- **January 22 & 23 Stakeholder Interviews & Community Workshop #1**
- **March – Mailer to over 200 Commercial Property Owners (All)**
- **March 4 – Task Force Committee Meeting – Workshop & Stakeholder Interview Report**
- **March 14 – Heritage District Committee Presentation**
- **March 23 – Salsa Festival**
- **March 25 – P&Z Commission**
- **March 26 – Mayors Youth Council**
- **April 3 – Task Force Committee Meeting – Diagnosis & Evaluation Paper**
- **April 8 – P&Z Commission**
- **April 11 – Heritage District**
- **April 17 & May 2 – Presentations to 2 HOA's**
- **April 22 – Joint PZ & Heritage Meeting**
- **May 1 – Task Force**
- **May 7– City Council Briefing**
- **Future meetings (Dates TBD): July 2013 – January 2014**





## ZONING CODE REWRITE

### *Diagnosis and Evaluation Working Paper*

Prepared by Dyett & Bhatia  
March 20, 2013

# PRESENTATION AGENDA

1. **Overview of Zoning Rewrite Project**
  - *Purpose, Objectives, Process, Timeline*
2. **Approaches to Zoning; the Tradeoffs**
3. **Summary of Recommendations**
4. **Review and Discussion**
5. **Next Steps**



# PURPOSE OF ZONING UPDATE

**Comprehensively rewrite the Citywide zoning regulations to implement the General Plan, city policies and goals, shape future growth and help realize Maricopa's vision for the future – a safe, beautiful, and livable community, a robust local economy, and a vibrant Heritage District and village atmosphere.**



# SPECIFIC OBJECTIVES

- Rewrite the code to reflect current zoning principles and practices
- Achieve high level of design quality and sustainable practices
- Promote infill, mixed use, and transit-oriented projects
- Respond to staff/stakeholder concerns about technical issues
- Comply with State and Federal requirements
- Streamline design review & development approval process
- Be clear, concise, understandable, and easy to use
- Include a Web-based component for a user interface

# PROCESS

2013	Analysis	Products
January	Research and Reconnaissance “Code User” and Stakeholder Interviews	Kick-off Meeting and Stakeholder Interview Summaries
February-March	Assessment by the Consultant	
April 3	Task Force Workshop #1 Review Discussion Report Evaluation of Recommendations by Task Force and Public	Discussion and Evaluation Report

# NEXT STEPS

- **Council study session on Task Force recommendations**
- **Create Annotated Outline for the new Zoning Ordinance**
- **Draft individual ‘chapters’ (modules) for Task Force review:**
  - *Base and Overlay District Regulations;*
  - *Supplemental Regulations; and*
  - *Administrative Procedures*
- **Public review; Web-based formatting and Map links**

# WHAT IS ZONING?

- **Zoning ordinances deal with two basic concerns:**
  - *Minimizing the adverse effects that buildings or uses of a property to adjacent neighbors*
  - *Encourage optimal development patterns and activities within a community, as expressed in planning policies*



# TYPES OF ZONING

- **Use-based**

- *Aims to segregate incompatible uses through separate zones such as Residential, Commercial, Mixed Use and Industrial districts*

- **Performance-based**

- *Applies standards, such as density limits and noise controls, or sun/ shadow controls to further reduce impacts of land uses*

- **Physical form-based**

- *Proscribes specific design standards based on building type, street, or neighborhood rather than regulate based on use*

- **Other**

- *Incentive Zoning*
- *Hybrid Zoning*

# USER' S PERSPECTIVES OF ZONING

- **Applicants**

- *Want to know the rules and time-frames for decision making, types of relief from the rules, and whether neighborhood concerns impact the process*

- **Design Professionals**

- *Want clear rules about what can be built and how much flexibility the code allows for variants based on site and building design*

- **Planning Staff and Officers**

- *Want flexibility to respond to community concerns, implement the General Plan, reconcile competing priorities, bring in jobs, and protect the City' s character*

- **Maricopa Residents and Business Owners**

- *Want ability to have input on projects, certainty with process, and be able to respond to changing markets and needs*

# TRADEOFFS WITH ZONING

- **Predictability vs. Flexibility**
  - *Should the Code be so rigid that it does not allow for negotiation?*
- **Flexibility vs. Administrative Cost**
  - *What are the costs to the applicant, opponents, and the city in providing a streamlined process? A rigid process?*
- **Development Cost vs. Quality**
  - *Can the regulations minimize costs to applicants while maintaining a high level of quality in use and livability?*
- **Preservation vs. Development**
  - *Will regulations stimulate or dampen changes in uses, users, or appearance?*
- **Under-Regulation vs. Over-Regulation**
  - *Will strict regulations and processes impede development or are the risks of inappropriate development through lax standards too great?*



# RECOMMENDATIONS: BIG IDEAS

1. **Making Zoning Easier to Understand and Use**
2. **Streamlining Development Review and Approval**
3. **Addressing Mixed Use and Other Development Opportunities**
4. **Achieving a High Level of Design Quality & Sustainable Practices**
5. **Promoting Housing Variety and Choice**
6. **Supporting Economic Growth**

# WORKSHOP: COMMUNITY CONCERNS

- 1. Reduce Reliance on Discretionary Review**
- 2. Establish Design-Related Standards**
- 3. Create New Zoning Districts for Mixed-Use Development**
- 4. Allow a Greater Mix of Housing Types**
- 5. Provide Incentives for Tax-Generating Uses**



# 1 ISSUES

## EXISTING CODE PROBLEMS

- **Organizational Irregularities**
  - *Definitions are not consolidated in one place, resulting in inappropriate locations of regulations*
- **Specification of “Permitted” Uses and Cumulative Zoning**
  - *Reliance on multiple sections to determine permitted uses*
- **Lack of Tables and Charts**
  - *No tables to assist in determining applicable regulations*
- **Standards of Measurement**
  - *Standardize measurements (ex: two stories vs. 20 feet)*
- **More Graphics Needed**
  - *No illustrations to show how to understand and implement regulations*

# 1 RECOMMENDATIONS

## MAKE ZONING EASIER TO UNDERSTAND

- **Develop a Consistent and Uniform Approach to Organizing and Displaying Use Regulations, Standards, & Review Procedures**
- **Consolidate Standards**
- **Simplify, Refine, or Eliminate Unnecessary Regulations & Procedures**
- **Add New Zoning Districts to Implement General Plan Policies**
- **Integrate Components of the Subdivision Ordinance**
- **Use Graphics to Reduce Wordiness and Improve Clarity**
- **Tabulate and Cross-Reference Regulations**

# 1 DISCUSSION

## MAKE ZONING EASIER TO UNDERSTAND

- **Are there items that can be approved at an administrative level?**
  - *Form-based development and design standards based on General Plan's goals for design quality? (Phase II focus on specific areas)*
  - *Items that reflect “standard conditions” that are typically imposed when such uses have been conditionally approved by the Planning Commission?*
  - *Specific limitations on locations, floor area, hours of operation, and similar features that are the source of potential adverse impact?*
  - *Other?*



# 2 ISSUES

## EXISTING REVIEW PROCESS

- **Uses Appear to be Permitted by Right but Actually Require Council Review**
  - *Establish design standards and development controls to reduce case-by-case Council review and enable administrative approvals*
  - *Create tiers of review by outlining uses that are permitted as-of-right and administratively approvable, and uses that are conditionally approvable at public hearings to streamline and expedite approvals*
  - *Require compliance with specific limitations on location, floor area, hours of operation, vehicle access, and similar features that are the source of potential adverse impacts*
- **No Differentiation between Nonconforming Uses and Structures**
  - *Does not allow for upkeep of buildings and continued economic development*

# 2 RECOMMENDATIONS STREAMLINE REVIEW AND APPROVAL

- **Create a Set of Common Procedures for Zoning Administration**
  - *Clear and consistent authority for determining when applications are complete*
  - *Well-defined procedures and timelines for handling appeals*
  - *Strengthen notification requirements for all types of public hearings*
  - *Establish standards for the conduct of public hearings*
- **Reduce Reliance on Council-Level Discretionary Review**
  - *Create regulations for ‘as-of-right’ projects and uses that can be approved at staff-level or by a hearing officer*

# 2 RECOMMENDATIONS

## STREAMLINE REVIEW AND APPROVAL

- **Clarify the Roles of Planning & Zoning Commission and Council**
  - *Rewrite the Code to clearly define the role and scope of authority among the decision-makers, but retain Council authority for higher-level and complicated projects posing community-wide issues*
  - *Rewrite the Code to give the P&Z final authority, subject to appeal, for “major” Use Permits, with “minor” Use Permits, site plan review and related approvals to be granted by a Zoning Administrator, acting as a Hearing Officer, if specified findings can be made or the project is modified through conditions of approval.*
- **Allow Additional Flexibility to Get Relief from Standards for Infill Development such as in the Heritage District**
  - *Incentives for adaptive reuse of buildings, affordable housing, and green building practices*

# 2 RECOMMENDATIONS

## STREAMLINE REVIEW AND APPROVAL

- **Allow Flexibility for Non Conforming Uses**
  - *Classify benign uses that could remain indefinitely, subject to conditions or limitations, with provisions for revoking its status if new nuisances arise*
  - *Identify uses that should be replaced at some time in the future in order to implement the General Plan's long term objectives where redevelopment and/or reuse is unlikely in the near term because of economic or market considerations*
  - *Clarify uses that are inconsistent with the General Plan and zoning regulations, will impede implementation of the Plan, and are detrimental because of health, safety, or substantial aesthetic impacts (e.g. outside storage, towaway yards).*
- **Implement a Village Planning Committee Process to Provide Additional Opportunities for Public Input**
  - *Enable early identification of issues and concerns*

# 2 DISCUSSION

## STREAMLINE REVIEW AND APPROVAL

- **Are there specific types of projects that should always be subject to design review, regardless of whether they are subject to more detailed design-related standards?**
  - *Should all project types (except single-family residences) be subject to design review or only projects over a certain size, in a specific location, or a certain type (fast-food, multi-family, etc.)?*
- **Are there other specific design-related issues that should be addressed in the Zoning Code Rewrite?**

# 3 ISSUE

## OLD TOWN AND HERITAGE DISTRICT

- **Physical Design Standards**

- *Small lot size and irregularly shaped parcels*
- *Older buildings that limit upgrades to current codes and design practices*

- **Current Infrastructure**

- *Limited and outdated in many areas*

- **Regulatory Obstacles**

- *No flexibility to enable relaxation of zoning and building codes*

# 3 RECOMMENDATIONS

## MIXED USE AND INFILL

- **Establish Standards and Incentives for Mixed Use, Urban Villages, and Infill Development**
  - *Create an incentive program and zoning district to facilitate infill development, adaptive reuse of buildings, and mixed use projects*
- **Support Future Transit Corridors**
  - *Allow for higher density and mixed uses along existing and future transit corridors*
- **Rethink Buffering and Transitional Requirements to Avoid Constraining Development**
  - *Reduce setbacks and distance requirements in certain areas to enable a sustainable and usable urban environment*

# 3 DISCUSSION

## MIXED USE AND INFILL

- **What specific use and design standards would be appropriate to encourage transit-oriented development in the area around the Amtrak Station?**
  - *Reduced parking requirements?*
  - *Enhanced pedestrian amenities?*
  - *Restriction on ground floor uses (no auto-oriented uses)?*
  - *Other?*



# 4 ISSUES HIGH-QUALITY DESIGN

- **Mixing of Urban, Suburban, and Rural Scales**
  - *No distinguishing between scale of uses and building types, resulting in a half-hazard and inconsistent built environment*
  - *Mix of automobile development with ‘walkable’ features creates an incompatible environment and aesthetic*
- **Insufficient Incentives for Environmentally Sensitive and Sustainable Development**
  - *No provisions or incentives for ‘green’ building practices and consideration of sensitive and protected environments*

# 4 RECOMMENDATIONS HIGH-QUALITY DESIGN

- **Establish Design Standards for Residential and Non-Residential Development**
  - *Location of a building on a lot*
  - *Orientation of building entries*
  - *Transparency – pedestrian level windows offering views into buildings and displays*
  - *Limitations on blank walls*
  - *Number of stories; minimum building height*
  - *Relation to adjoining sites*
  - *Pedestrian amenities and public gathering areas*
  - *Connectivity within the site and to adjoining areas*
  - *Location and screening of parking and outdoor storage*

# 4 RECOMMENDATIONS HIGH-QUALITY DESIGN

- **Require Landscaping that is Appropriate to Development Type and is Environmentally Sustainable**
  - *Landscape requirements should vary depending on the character and type of development*
  - *Incorporate standards that utilize native plantings and water conservation*
- **Require Outdoor Living Area(s) and Usable Open Space in Multi-family Residential Development**
  - *Require usable open space in mixed use development projects*
  - *Will increase the quality of life for residents*
- **Provide Incentives for Sustainable Design**
  - *Expedited permit review, increased density or height could be incentives for green building practices*

# 4 DISCUSSION

## HIGH-QUALITY DESIGN

- Any specific concerns about the approach we have proposed? A “light touch” allowing for flexibility without highly prescriptive rules.

# 5 ISSUES

## HOUSING VARIETY AND CHOICE

- **Lack of Housing Variety**
  - *Scale*
  - *Affordability*
  - *Alternative housing*
- **Aging Stock of Residential Buildings/Mobile Homes**
  - *Nonconforming structure provisions restrict the upkeep and replacement of these buildings/structures*

# 5 RECOMMENDATIONS RESIDENTIAL DISTRICTS

- **Allow a Mix of Housing Types Where and When Appropriate**
  - *Provide flexibility in density within subareas or on blocks*
  - *Allow a variety of building standards such as setbacks, height, and open space*
- **Create a New Zoning District or New Regulations for Small-Lot Single-Family Development**
  - *Create provisions specifically for small lot developments to facilitate the use of these lots*
- **Create More Housing Choice with a Density Bonus Program**
  - *Enable additional density through incentives such as affordable housing, senior housing, and green building practices*
- **Allow Upgrades to Older Residential Properties (Manufactured Homes/Trailer Parks)**
  - *Modify the nonconforming structure provisions to allow the upkeep of older homes and trailers*



# 5 DISCUSSION

## RESIDENTIAL DISTRICTS

- Should the City have minimum density regulations in multi-family and mixed-use districts?
- Should the City mandate minimum height in mixed-use districts to encourage, but not require, the construction of residential units above commercial space?
- Should small-lot subdivisions, subject to specific standards and criteria, be allowed? A streamlined option to PAD zoning.
- Other?



# 6 ISSUES ECONOMIC GROWTH

- **Maricopa as a Bedroom Community**
  - *Without proper incentives and regulations for mixed use developments, most development will continue to be residential*
  - *This prevents creation of a stronger economic and tax base for the City*
- **A Lack of Real Mixed Use**
  - *No standards for mixed use development and incentives for job-generating uses*
  - *Forces residents to travel outside of the city for basic needs and services*



# 6 RECOMMENDATIONS SUPPORT ECONOMIC GROWTH

- **Provide Incentives for Job-Generating Uses**
  - *Allow priority processing of applications for specific types of uses*
- **Allow Limited Commercial Development in Appropriate Residential Districts**
  - *Permit small neighborhood-services in residential areas*
- **Create Mixed use Districts**
  - *Expand ability for multi-use developments outside of the Heritage District*
- **Create a Planned Development Base District**
  - *Will enable large development areas to establish specific uses and standards*
- **Provide for the Adoption of Development Agreements for Large, Employment-Generating Uses**
  - *Allows for specific standards that are catered to individual businesses & uses*



# 6 DISCUSSION

## SUPPORT ECONOMIC GROWTH

- Are there specific businesses and industries the City should take steps to attract?
- What types of incentives should be considered through the Zoning Ordinance Update:
  - *Priority application processing, but no fee reductions*
  - *Time limits application review*
  - *General “employment” use classification that includes targeted industries and permit wider freedom in location, design and development standards*
  - *Other?*

# OTHER ISSUES

- **Light Pollution**

- *Refine and update current standards to ensure safety, prevent spillover glare and conserve energy*
- *Preserve visibility of night sky and wildlife protection*

- **Solar Technology**

- *Provide incentives for the installation of these systems*
- *Ensure no conflicts with development standards, such as height*

- **Regulatory Reform**

- *Ensure Code is consistent with Federal and State regulations*
- *Allow for easy updates to code to conform with new regulations and changes*

# PROTECTED USES & PROPERTY RIGHTS

- **Religious Uses**

- *Ensure Code does not impose substantial burdens on religious institutions*

- **Housing for Persons with Disabilities**

- *Use current terminologies and allow for “reasonable accommodations”*

- **Telecommunications**

- *Incorporate appropriate aesthetic standards for these installations*

- **Charter Schools and Community Colleges**

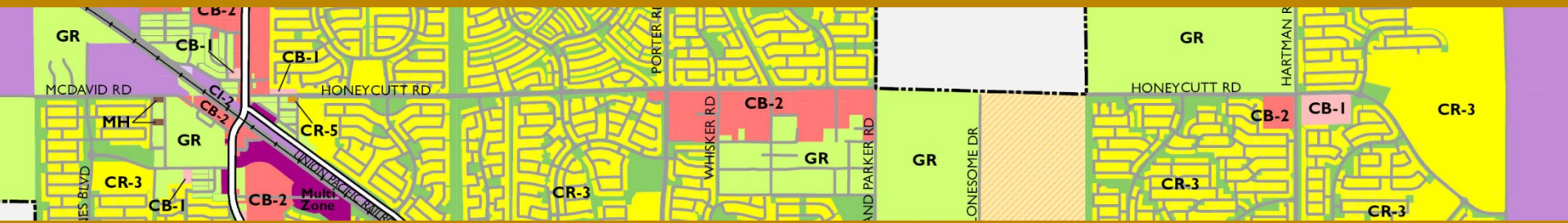
- *Classify schools as public, semi-public, institutional, and private*
- *Promote standards that will meet the needs of educational institutions based on size and level of enrollment, but allow flexibility in design with performance requirements*

# NEXT STEPS

- **Create Annotated Outline:**
  - *Organization and numbering system*
  - *The number, types, and purposes of new zoning districts*
- **Begin Drafting Preliminary Regulations:**
  - *Overlay and special districts*
  - *Supplemental standards*
  - *Administration (including definitions and rules of measurement)*
  - *Enforcement*
  - *Amendment procedures*
- **Design zoning graphics:**
  - *Illustrations of selected standards and guidelines and review procedures*

# OPPORTUNITY FOR COMMENTS

**Are there any other issues to address?**



## ZONING CODE REWRITE

### *Diagnosis and Evaluation Working Paper*

Prepared by Dyett & Bhatia  
March 20, 2013